

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BEATRIZ V. LOUNSBURRY,

Plaintiff,

No. C 02-03956 JSW

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security,

ORDER UPON REMAND

Defendant.

On February 10, 2004, this Court granted the motion for summary judgment filed by Defendant¹ and denied Plaintiff Beatriz V. Lounsbury's ("Lounsbury") motion for summary judgment. On November 7, 2006, the Ninth Circuit reversed this Court's grant of summary judgment for Defendant and denial of Lounsbury's cross-motion, and remanded the above-captioned matter with instructions for payment of benefits. Upon remand from the Ninth Circuit, the Court HEREBY GRANTS Lounsbury's motion for summary judgment and DENIES Defendant's motion for summary judgment. This matter is HEREBY REMANDED to the Social Security Administration with instructions for payment of benefits.

IT IS SO ORDERED.

Dated: December 7, 2007


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

¹ On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security. Pursuant to Federal Rule of Civil Procedure 25(d)(1), Astrue is hereby substituted in for Commissioner JoAnne B. Barnhart, who was the Commissioner at the time the suit was filed.